

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:08-cv-01045

KARL BOYD,

Defendant.

REPORT AND RECOMMENDATION

This matter is before the Court on Plaintiff's Motion for Summary Judgment (Dkt. 15) in this case which was referred to the undersigned by the Honorable Janet T. Neff. Plaintiff seeks repayment of a student loan taken out by the Defendant with interest and costs. Plaintiff has moved for summary judgment in this matter and states that there are no genuine issues of material fact and that the United States is entitled to judgment as a matter of law. The motion for summary judgment was accompanied by a sworn affidavit and supporting documentation. Although Defendant was properly served with the motion and with notice of the motion hearing, Defendant failed to file a written response or to appear for the hearing held November 16, 2009 on the motion.

Thus, it is hereby recommended that the district judge grant Plaintiff's motion (Dkt. 15) and enter judgment in favor of the United States and against Karl Boyd in the amount of \$10,679.41 (\$6,032.37 principal, \$4,470.54 interest, and \$176.50 costs) with interest to accrue at a daily rate of \$0.83 from September 15, 2009 to the date of the judgment, and with interest on the judgment (at the percentage rate

per annum in effect as of the date of the judgment) compounded annually from the date of judgment, plus a \$350.00 filing fee.

Respectfully submitted,

Date: November 17, 2009

/s/ Ellen S. Carmody

ELLEN S. CARMODY

United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).